

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner Bawa, R.

Art Unit 1619

Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/631,151 filed on August 2, 2000.

of Paula N. Belloni

(inventor(s) currently of record in prior application)

for METHODS FOR THE TREATMENT OF EMPHYSEMA USING 13-CIS RETINOIC ACID (as amended)
(title of invention)

1. ☒ The filing fee is calculated below (after canceling claims per item 10):

PATENT APPLICATION FEE VALUE

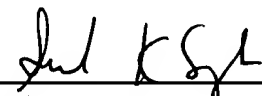
| TYPE | NO. FILED | LESS | EXTRA | EXTRA RATE | FEE |
|---|-----------|------|-------|--------------|-----------|
| Total Claims | 14 | -20 | 0 | \$18.00 each | \$ 0.00 |
| Independent | 3 | -3 | 0 | \$80.00 each | \$ 0.00 |
| Basic Fee | | | | | \$ 710.00 |
| Multiple Dependency Fee If Applicable (\$270.00) | | | | | \$ 0.00 |
| Total | | | | | \$ 710.00 |
| 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern | | | | | - \$ 0.00 |
| Total Filing Fee | | | | | \$ 710.00 |

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150 (order no. 9080-011-999). A copy of this sheet is enclosed.
3. ☒ Amend the specification by inserting before the first line the following sentence: This is a division of application no. 09/631,151, filed August 2, 2000.
- 4a. ☐ New formal drawings are enclosed.

- 4b. ☐ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to Syntex (U.S.A) LLC (Reel 011113, Frame 0459).
- 7a. ☒ The Power of Attorney appears in the original papers in the prior application no. 09/631,151, filed August 2, 2000.
- 7b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application no. , filed is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☒ Additional enclosures or instructions:
 - A copy of the parent Application and executed Declaration is enclosed;
 - and
 - please cancel Claims 1-10, 21, 22, and 24-32 without prejudice before calculating the filing fee.

Respectfully submitted,

Date 9/26


 Sunil K. Singh (Reg. No.)
 for Anthony M. Insogna (Reg. No. 35,203)

45,298

PENNIE & EDMONDS LLP
 1155 Avenue of the Americas
 New York, N.Y. 10036-2711
 (212) 790-9090

09/26/2009 09:26:01